

Aug 09, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES N.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:18-CV-3238-RMP

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is a Stipulated Motion for Remand, ECF No. 20, from the parties in this matter. The Court finds good cause to **GRANT** the motion, **ECF No. 20**, and **DENY AS MOOT** Plaintiff's pending Motion for Summary Judgment, **ECF No. 12**.

Consistent with the parties' stipulation, **IT IS FURTHER ORDERED** that the case is **REVERSED** and **REMANDED** for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall obtain additional medical evidence and consider whether a finding of disability on the updated record is warranted pertaining to Plaintiff's

ORDER GRANTING STIPULATED MOTION TO REMAND ~ 1

1 surviving Title II claim. If a favorable decision is not made on the record, the
2 Appeals Council shall remand the case to an administrative law judge (ALJ), who
3 shall update the medical records, offer Plaintiff the opportunity for a hearing, and
4 issue a new decision. The ALJ shall also:

- 5 • Reevaluate the medical opinion evidence;
- 6 • Further evaluate the Listings;
- 7 • Reevaluate Plaintiff's residual functional capacity; and
- 8 • If warranted, obtain supplemental vocational expert evidence to clarify the
9 effects of the assessed limitations on Plaintiff's ability to perform other work
10 in the national economy.

11 The parties agree that reasonable attorney fees will be awarded under the
12 Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

13 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
14 Order and provide copies to counsel.

15 **DATED** August 9, 2019.

16 *s/ Rosanna Malouf Peterson*
17 ROSANNA MALOUF PETERSON
18 United States District Judge
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